

# **COLCHESTER PLANNING COMMISSION**

## **MINUTES OF THE MEETING**

**NOVEMBER 17, 2009**

**PRESENT:** Tom Mulcahy, Peter Larrabee, Rich Paquette and Pam Loranger

**ALSO PRESENT:** Sarah Hadd, Town Planner

### **1. Call to Order**

T. Mulcahy called the meeting to order at 7:05 p.m.

### **2. Review Agricultural Mixed Use Language**

The Commission reviewed the existing wording of Section 6.04 Agricultural Mixed Use District (AMU) and the revisions prepared by Staff.

The Commission concurred on the following changes to the document to read as follows:

**A. Purpose:** to encourage complimentary “activities”

#### **C. Permitted Uses:**

(1) (b) “Maximum permitted gross square footage for general sales is 5% of the square footage of the lot not to exceed 10,000 sq. ft.”

(2) “Distribution facility and warehousing shall be limited as follows:”

(a) “Distribution and warehousing may be permitted only on parcels of 30 acres or greater.”

#### **E. Area, Density and Dimensional Requirement**

In addition, the minimum lot size for a residential lot shall be “1/2 acre and the maximum lot size shall be one acre”. “The DRB may consider increasing lot coverage”.

### **4. Procedure for Determination of Development Units:**

“One-fifth of those lots, or a maximum of 120 dwelling units, may be clustered within the parent parcel”.

### **3. Shipman Hill Neighborhood Discussion**

Randy Mulligan, Town Assessor and Al Voegelé, Town Manager were in attendance.

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The Commission received a letter from Randall Mulligan, Town Assessor dated November 10, 2009 addressing the issue of a property being rezoned from AG to AMU and the effect on the assessed value.

Randy Mulligan, Town Assessor, was present to discuss with the Commission the impact of rezoning a property with regard to property value and taxes. R. Mulligan discussed with the Commission the process that he follows when assessing a value on a property when that property is rezoned and that rezoning provides additional opportunities for that land. R. Mulligan stated that when a rezoning occurs the property owner's tax bill will not be impacted until the following April.

Much discussion took place regarding rezoning and taxes. The Commission expressed a large concern that they might possibly have been provided some residents with incorrect information with regard to rezoning and tax implications.

T. Mulcahy stated concern for the confusion and the misinformation provided to residents by the Commission with regard to rezoning. T. Mulcahy suggested that the Town Assessor become a part of the rezoning discussion process in the future because the property value/tax impact is an important piece of information for the Commission and the property owner to know. T. Mulcahy said he wants to specifically know what the impacts are going to be before any decision is made. S. Hadd responded that the addition of a review process by the Assessor would have to be on a timely basis and she is not sure that it a reasonable request or expectation of that department.

S. Hadd responded to the Commission's concern and said she does not believe that there were a lot of residents that received wrong information from the Planning Commission. Staff did catch up directly with the few affected property owners that will obtain significant additional development capacity as a result of the recent rezonings. Regarding the rezonings for the Village there are only a few that will see their property tax increase in April and the rest of the increases would occur after such time that they completed the Development Review Board process.

S. Hadd explained that when a property is rezoned from AGR to Residential there are different phases when a parcel will an increase in taxes.

In conclusion of the discussion, the Commission expressed that they know and understand that when a rezoning of a parcel occurs it may directly impact taxes and they need to make sure that they provide the property owner with the correct information.

The Commission thanked R. Mulligan and A. Voegle for attending and discussing the issues.

S. Hadd briefed the Commission on the Current Use Program which is a program administered by the State of Vermont. If a property owner commits their property to agricultural or forestry for a specific amount of time they could negate any increase in value from rezoning.

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**4. Review of Chittenden County Regional Plan**

Tabled.

**5. Minutes of November 3, 2009**

A **motion** was made by P. Larrabee and **seconded** by P. Loranger to approve the minutes of November 3, 2009. The **motion passed** with a vote of 4 – 0.

**6. Review Future Agenda**

Update Procedural Rules  
Floodplain Regulations

The next meeting of the Planning Commission will be held on December 1<sup>st</sup>.

**7. Packet Information**

The Commission reviewed the information that they received in their packets.

**ADJOURNMENT**

There being no further business to be brought before the Commission, a motion was made and seconded to adjourn the meeting. All members of the Commission present voted in favor of the motion and the meeting was adjourned at 9:30 p.m.

Minutes taken and respectfully submitted by Lisa Riddle.

Approved this 1st day of December 2009

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